

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

RAFAEL ALVAREZ,

Defendant.

Consent Order of Restitution

S1 24 Cr. 221 (JPO)

Upon the application of the United States of America, by its attorney, Jay Clayton, United States Attorney for the Southern District of New York, David R. Felton, Assistant United States Attorney, of counsel; the presentence investigation report; the defendant's conviction on Counts One and Two of the Information, S1 24 Cr. 221 (JPO) (the "Information"); and all other proceedings in this case, it is hereby ORDERED that:

1. Amount of Restitution

RAFAEL ALVAREZ, the defendant, shall pay restitution in the total amount of \$145,000,000.00 pursuant to 18 U.S.C. §§ 3663, 3663A, and 3664, including, but not limited to, 18 U.S.C. §§ 3663(a)(3) and 3663A(a)(3), to the victims of the offenses charged in Counts One and Two, the Internal Revenue Service ("IRS"). Upon advice by the United States Attorney's Office of a change of address of a victim, the Clerk of Court is authorized to send payments to the new address without further order of this Court.

A. Joint and Several Liability

Restitution is joint and several with all co-conspirators, including any former employees or clients of ALVAREZ criminally charged. The defendant's liability to pay restitution shall continue unabated until either the defendant has paid the full amount of restitution ordered herein, or the IRS has recovered the total amount of each loss from the restitution paid by the defendant

and all co-conspirators ordered to pay the IRS, as well as any payments received by the IRS from former clients of ALVAREZ.

B. Apportionment Among Victims

Pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid. Restitution shall be paid to the IRS.

2. Schedule of Payments

Pursuant to 18 U.S.C. § 3664(f)(2) (incorporating § 3572), in consideration of the financial resources and other assets of the defendant, including whether any of these assets are jointly controlled; projected earnings and other income of the defendant; and any financial obligations of the defendant; including obligations to dependents, the defendant shall pay restitution in the manner and according to the schedule that follows:

The total amount of restitution is due immediately; however, in the interest of justice, restitution will be payable in installments pursuant to 18 U.S.C. § 3572(d)(1) and (2). The defendant will commence monthly installment payments of at least 10 percent of the defendant's gross income, payable on the first of each month, except that while the defendant serves a term of imprisonment, the required installment payments may be made through the Bureau of Prisons' (BOP) Inmate Financial Responsibility Program (IFRP), subject to 18 U.S.C. § 3664(n).

This schedule is without prejudice to the Government taking enforcement actions, pursuant to 18 U.S.C. §§ 3613 and 3664(m)(1)(A), to the extent warranted.

3. Payment Instructions

The defendant shall make restitution payments by certified check, money order, or online. Instructions for online criminal debt payments are available on the Clerk of Court's website at <https://nysd.uscourts.gov/payment-information#PaymentofCriminalDebt>. Checks and money orders shall be made payable to the "SDNY Clerk of Court" and mailed or delivered to: United

States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The defendant shall write his name and the docket number of this case on each check or money order.

4. Change in Circumstances

The defendant shall notify, within 30 days, the Clerk of Court, the United States Probation Office (during any period of probation or supervised release), and the United States Attorney's Office, 86 Chambers Street, 3rd Floor, New York, New York 10007 (Attn: Financial Litigation Program) of (1) any change of the defendant's name, residence, or mailing address or (2) any material change in the defendant's financial resources that affects the defendant's ability to pay restitution in accordance with 18 U.S.C. § 3664(k).

Because the victim is the IRS, the Clerk's Office shall forward all restitution payments to the below address within 30 days of receiving said payments from the defendant:

IRS - RACS
Attn: Mail Stop 6261, Restitution
333 W. Pershing Ave.
Kansas City, MO 64108

5. Term of Liability

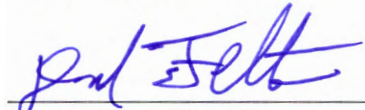
The defendant's liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the defendant's release from imprisonment, as provided in 18 U.S.C. § 3613(b). Subject to the time limitations in the preceding sentence, in the event of the death of the defendant, the defendant's estate will be held responsible for any unpaid balance of the restitution amount, and any lien filed pursuant to 18 U.S.C. § 3613(c) shall continue until the estate receives a written release of that liability.

AGREED AND CONSENTED TO:

JAY CLAYTON

United States Attorney for the
Southern District of New York

By:



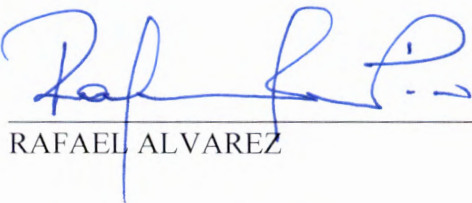
DAVID R. FELTON
Assistant United States Attorney
26 Federal Plaza
New York, NY 10278
(212) 637-2299

5-29-2025

DATE

RAFAEL ALVAREZ

By:

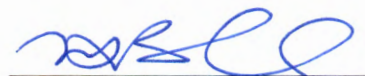


RAFAEL ALVAREZ

5/29/2025

DATE

By:



MICHAEL K. BACHRACH, ESQ.
224 West 30th Street, Suite 302
New York, New York 10001

5/29/2025

DATE

RICHARD ROSENBERG, ESQ.
601 West 57th Street, Apartment 3B
New York, New York 10019

SO ORDERED:



HONORABLE J. PAUL OETKEN
UNITED STATES DISTRICT JUDGE

5/29/2025

DATE